

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

**IN RE:** : **CHAPTER 13 PROCEEDING**  
**LEROY N. BUTLER** : **CASE NO.: 17-60436**  
 : **JUDGE RUSS KENDIG**  
**DEBTOR(S)** : **MOTION TO DISMISS CASE**

\*\*\*\*\*

Now comes the Standing Chapter 13 Trustee, **Dynele L. Schinker-Kuharich**, and declares under penalty of perjury:

1. The Debtor filed a petition for relief under Chapter 13 on 03/07/2017.
2. The case is delinquent in the amount of \$4,644.00 as of DECEMBER 27, 2018.
3. The last payment was received November 02, 2018.

Therefore, the Trustee requests the above case be dismissed pursuant to the Bankruptcy Code 1307 (c).

/S/ Dynele L. Schinker-Kuharich  
Dynele L. Schinker-Kuharich, Chapter 13 Trustee

**CERTIFICATE OF SERVICE**

I certify that on December 27, 2018, a true and correct copy of the MOTION was served:

Via the court's Electronic Case Filing System on these entities and individuals who are listed on the court's Electronic Mail Notice List:

REBECCA K HOCKENBERRY, on behalf of LEROY N. BUTLER, at  
rebecca@hockenberrylaw.com

And by regular U.S. Mail, postage prepaid, on:

LEROY N. BUTLER  
204 HELEN AVENUE  
MANSFIELD, OH 44903

/s/ Dynele L. Schinker-Kuharich  
Dynele L. Schinker-Kuharich, Chapter 13 Trustee  
200 Market Avenue North, Suite LL30  
Canton, Ohio 44702  
330-455-2222

**NOTICE OF MOTION TO DISMISS CASE**

**DYNELE L. SCHINKER-KUHARICH, the Standing Chapter 13 Trustee**, has filed papers with the Court to have this bankruptcy case dismissed.

**Your rights may be affected. You should read these papers carefully to discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to dismiss this bankruptcy case, or if you want the court to consider your views on the motion to dismiss this case, then on or before **JANUARY 17, 2019**, you or your attorney must file with the Court an objection to the motion to dismiss at:

Clerk of Court  
United States Bankruptcy Court  
Ralph Regula Federal Building  
401 McKinley Ave S.W.  
Canton, OH 44702

If you mail your objection to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also send a copy to:

Dynele L. Schinker-Kuharich, Chapter 13 Trustee  
200 Market Avenue North, Suite LL30  
Canton, Ohio 44702

You must also attend a hearing on the motion to dismiss this case on **FEBRUARY 6, 2019 at 1:30 PM** at:

United States Bankruptcy Court  
Ralph Regula Federal Building  
401 McKinley Ave, S.W.  
Canton, OH 44702

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

December 27, 2018

/S/ Dynele L. Schinker-Kuharich

Dynele L. Schinker-Kuharich, Chapter 13 Trustee  
200 Market Avenue North, Suite LL30  
Canton, Ohio 44702